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June 16, 2023

By ECF

Hon. Marcia M. Henry
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: 138-77 Queens Blvd LLC v. Silver, No. 22-cv-5155-KAM-MMH

Dear Judge Henry:

As directed by Your Honor at the telephone status conference held May 12, 2023, we write on behalf of both parties to report on the parties' mediation. The mediation proceeded as scheduled on June 12, 2023, but did not result in a resolution of this action.

No further settlement discussions are contemplated by the parties at this time, and the parties are proceeding with discovery pursuant to the amended Discovery Plan/Scheduling Order entered May 17, 2023 [ECF No. 41].

Respectfully submitted,



Eric S. Askanase

cc: All counsel (via ECF)